



House Hearings Demonstrate How the Reid-Kennedy Bill Would Put Americans at Risk

Law Enforcement and Experts Agree that Border Security Needs to be Priority

Last week's hearings held by the House Subcommittee on International Terrorism and Nonproliferation in San Diego, California and Laredo, Texas demonstrated how the Reid-Kennedy Senate immigration bill would put Americans at risk. Members of Congress heard testimony from border patrol agents, local law enforcement officers, homeland security officials, government investigators and other experts.

Among the topics covered by the experts were: the 'terrorist loophole' that exists in the Reid-Kennedy bill; how terrorists are able to exploit our weak borders; the inherent weaknesses in our current border security system; and how border security needs to be the top priority for Congress.

The 'Terrorist Loophole' in the Reid-Kennedy Bill Would Make It Harder to Arrest or Detain Potential Terrorists

During the hearing in San Diego, law professor Kris Kobach testified about the terrorist loophole in the Reid-Kennedy Immigration bill. This loophole would put limitations on federal, state and local law enforcement and be counterproductive to the war on terror.

"Buried deeply in the Senate Bill is a provision that would disarm America's state and local police in the war against terrorism. Section 240D contains a statement that would have the effect of barring state and local police officers from making arrests for civil violations of immigration law – precisely the sort of violations that terrorists have demonstrated a propensity to commit."

of Law

Kansas City School of Law

-Kris W. Kobach, Professor

University of Missouri –

“In the aftermath of the [9/11] attack, we learned that five of the nineteen hijackers had violated federal immigration laws while they were in the United States. All five terrorists committed civil, not criminal, immigration violations. Amazingly, four of the five were actually stopped by local police for speeding. All four terrorists could have been arrested, if the police officers had asked the right questions and realized that they were illegal aliens.”

-Kris W. Kobach, Professor
of Law

University of Missouri --
Kansas City School of Law

Terrorists are Already Exploiting our Weak Borders

At the hearings, it was revealed that law enforcement officers, border security agents, and government officials agree that terrorists have access to the same mechanisms and tactics being employed by drug smugglers. Furthermore, terrorists are not just aware of our nation’s weak borders, they already are exploiting them.

“On July 19, 2004, [Al Qaeda terrorist Farida] Ahmed was arrested in McAllen, Texas after crossing into the United States three days earlier. She had waded across the Rio Grande, and was bound for New York City. Terrorists know all about our porous southern border, and these cases demonstrate how effectively they have exploited it.”

-Kris W. Kobach, Professor
of Law,

University of Missouri –
Kansas City School of Law

“The nexus between our post September 11th mission and our traditional role is clear, terrorists and violent criminals may exploit smuggling routes used by migrants to enter the United States illegally and do us harm.”

-Reynaldo Garza, Chief
Patrol Agent

Border Patrol

Laredo Sector, Office of

"Many experts agree that Al Qaeda has studied narcotics traffickers and it is suspected that there are established ties between the two."

-Sheriff Bill Kolender, San Diego County

"Last year, about 155,000 illegal aliens from countries other than Mexico were apprehended by the Border Patrol, and many of them were released into the streets of America because of a lack of detention funds. Of that total number, a few hundred were categorized as 'special interest aliens' because they are from countries where terrorist groups that pose a threat to the United States are actively operating."

-TJ Bonner, National President, National Border Patrol Council,
American Federation of
Government Employees, AFL-
CIO

Our Borders are Alarmingly Porous

Witnesses at the hearings emphasized the porous state of our southern border. They highlighted the easy routes above and below ground that illegal immigrants take with little risk of apprehension.

"At any given time, daytime or nighttime, one can get on a boat and traverse back and forth between Texas and Mexico and not get caught. If smugglers can bring in tons of marijuana and cocaine at one time, and can smuggle 20-30 persons at one time, one can just imagine how easy it would be to bring in 2-3 terrorists or their weapons of mass destruction across the river and not be detected. Chances of apprehension are very slim."

-Sheriff Sigifredo Gonzalez,
Zapata County, Texas

"GAO's investigators, using counterfeit documents, were able to enter the United States with enough radioactive sources in the trunks of their vehicles to make two dirty bombs."

-Gregory D. Kutz, Managing Director Forensic

Audits and Special Investigations

Government Accountability Office (GAO)

"Experts from both private and public sectors agree that the porous southwest border is an inviting avenue of illegal entry for possible terrorists. In 2005 and 2006 there were

five border tunnels located in San Diego County running from Mexico into the United States. While it is known that these tunnels were used primarily to smuggle illicit drugs, the same could easily be said for the smuggling of human cargo to possibly include terrorists."

-Sheriff Bill Kolender
San Diego County

Border Security is Homeland Security, and Needs to be the Top Priority

Law enforcement officials agree with House Republicans that securing our borders needs to be the top priority.

"You know, we are worried about immigration, immigration shouldn't even be a priority here, it should be border security, and the only way we can have homeland security is to have border security. Put immigration second or third. Right now we need to protect our border."

-Sheriff Rick Flores,
Webb County Texas

"There cannot be homeland security without border security. Our southwest border needs immediate attention."

-Sheriff Sigifredo Gonzalez,
Zapata County, Texas

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